App. No. 09/893,170
Amendment Dated: August 30, 2005
Reply to Final Office Action of August 8, 2005

REMARKS

Claims 1-22 remain in this application for further review in light of the Remarks set forth herein. Applicants respectfully disagree with the contentions set forth in the current Office Action. Applicants present the Remarks herein in hopes of pointing out elements of the claims that are clearly allowable over the cited reference. The synchronization process described in the cited reference does not teach the elements of the claims because the cited reference describes a very different synchronization process as that claimed in the present invention. Applicants respectfully request a Notice of Allowance of the claims or withdraw the finality of this matter.

I. Rejection of Claims 1-5, 12, 19 and 21-22 Under 35 U.S.C. 102(e)

Claims 1-5, 12, 19 and 21-22 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,341,316 issued to Kloba et al. ("Kloba"). Applicants respectfully disagree with this rejection. Independent claim 1 includes the following *combination of elements* that is not taught or otherwise suggested by the cited reference:

> *"if the prior synchronization session failed"*
>
> *"creating a server request based on the client request and on a synchronization state associated with the failed prior synchronization session* so that duplicate objects are not created in the server when the mobile device and the server become synchronized"
>
> *"sending the server request to the server* for processing"
>
> *"receiving a server response from the server* based on the processing of the server request at the server"
>
> *"modifying the synchronization state based on the server response and the client request"*
>
> *"creating a client response based on the server response"*
>
> "sending the client response to the mobile device"

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Even though many exemplary systems may be used in association with the method

recited in claim 1, applicants point Examiner Lin to Figure 3, element 340 of the present

invention as one exemplary element of an exemplary system.

Kloba neither pertains to the synchronization of the present invention nor does Kloba

teach all the elements recited in claim 1. Kloba specifically recites as follows:

> "Thus, the server 104 in step 170D determines that the last sync with
> client 108 was not successful. Accordingly, step 170F is performed.
>
> In step 170F, the server 104 compares the latest data marker received from
> the client 108 (C2 in the example of 63B) with ones stored in the server 104 for
> the client 108. Essentially, the server 104 attempts in step 170F to *"roll back" to*
> *a previous known state of client 108.* In the example of FIG. 63B, the server 104
> in step 170F determines that it can roll back to a known state of the client 108
> corresponding to data marker C2 (6312 in FIG. 63B).
>
> In steps 170G, 170H, and 170I, the server 104 determines what
> instructions are needed *to cause the client 108 to roll back to the known state*
> *associated with data marker C2 identified in step 170F, and what instructions*
> *are needed to cause the client 108 to move forward from the previous state*
> *associated with data marker C2 to the current state associated with data marker*
> *C3.*
>
> In steps 170J, the instructions determined from steps 170G, 170H and
> 170I *are sent to client 108,* along with the new data marker C3 (6332 in FIG.
> 63B). In one embodiment, a data marker is a synchronization token which is
> specifically constructed to provide information about the state of information on a
> client.
>
> In steps 170K and 170L, the client interface module 112 executes these
> instructions to update the client 108, and saves the new data marker C3 (6318 in
> FIG. 63B)." *Kloba,* at col. 18, line 65 - col. 19, line 24.

Kloba teaches a synchronization that requires the server to "roll back" the client device.

Stated another way, Kloba teaches that the server rolls the client back to a previously known

state. Once the client is rolled back, the client is then synchronized from the known state. Kloba

does not teach "creating a server request based on the client request and on a synchronization

state associated with the failed prior synchronization session." Also, Kloba does not teach

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"sending the server request to the server." Kloba does not teach "receiving a server response

from the server" and "modifying the synchronization state based on the server response and the

client request." Moreover, Kloba does not teach "creating a client response based on the server

response."

Kloba pertains to a synchronization technique apart from the elements recited in

independent claim 1. The combination of elements of claim 1 brings to light the advantages the

present invention has over the prior art. The specification of the present invention describes at

least one of these advantages as follows:

> "Briefly described, the present invention provides a method for recovering
> from a failed synchronization session. The recovery detection method is able to
> identify a sync failure with a minimal amount of data transmitted between the two
> devices, and thus, provides an economic method of recovering from a failed
> synchronization session using wireless technology. The method achieves this
> recovery without requiring the server to maintain and track errors of the client,
> without waiting for an explicit acknowledgement from the client, and without
> other time consuming and bandwidth intensive tasks." *Specification,* at pgs. 1-2.

Applicants assert that the combination of elements recited in independent claim 1 is

allowable over the cited art. Accordingly, applicants respectfully request allowance of the same.

Independent claim 19 includes the following *combination of elements* that is not taught

or otherwise suggested by the cited reference:

"a first device associated with *the first data store*"

"a second device associated with *the second data store*"

> "a server coupled to a storage medium on which a synchronization state
> associated with a first synchronization session is stored, the server configured to
> access the synchronization state upon receiving a subsequent synchronization
> request and to determine whether the subsequent synchronization request
> corresponds to the first synchronization session, if the synchronization request
> corresponds to the first synchronization session, the server is configured to initiate
> a recovery synchronization session, *wherein the server is further configured to
> exclude changes provided in the first synchronization session that were
> previously updated*"

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Applicants assert that Kloba teaches directly away from the elements of claim 19.

Specifically, Kloba teaches that changes provided in the first synchronization session *are*

included. As previously stated, Kloba teaches as follows:

> "In step 170F, the server 104 compares the latest data marker received from the
> client 108 (C2 in the example of 63B) with ones stored in the server 104 for the
> client 108. Essentially, the server 104 attempts in step 170F to *"roll back" to a*
> *previous known state of client 108*. In the example of FIG. 63B, the server 104
> in step 170F determines that it can roll back to a known state of the client 108
> corresponding to data marker C2 (6312 in FIG. 63B).
>
> In steps 170G, 170H, and 170I, the server 104 determines what
> instructions are needed *to cause the client 108 to roll back to the known state*
> *associated with data marker C2 identified in step 170F, and what instructions*
> *are needed to cause the client 108 to move forward from the previous state*
> *associated with data marker C2 to the current state associated with data marker*
> *C3.*"

In that Kloba teaches rolling back to a previous state, Kloba provides the changes that

were included in the first synchronization session. Such teaching increases data transmission

between the two devices and would consume bandwidth on a wireless device. These are a few of

the very problems the present invention sets out to solve. Accordingly, applicants believe that

claim 19 is clearly allowable over the cited reference and should be found allowable.

Regarding claims 2-5, 12 and 21-22, the limitations of those claims are not taught

in Kloba. Moreover, claims 2-5, 12 and 21-22 ultimately depend from claims 1 and 19,

respectively. Claims 1 and 19 are allowable as stated above. Accordingly, applicants

assert that claims 2-5, 12 and 21-22 are allowable for at least those same reasons.

II.   Rejection of Claims 6-11, 13-18 and 20 Under 35 U.S.C. 103(a)

Claims 6-11, 13-18 and 20 were rejected under 35 U.S.C. 103(a) as being

unpatentable over Kloba, as applied to claims 1-5, 12, 19 and 21-22 above. Applicants

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assert that the claims may not be modified in the manner suggested. Furthermore, even if
for argument sake such modifications were possible, the modifications would still fail to
teach all the limitations of the claims. Regarding claims 6-11, 13 and 20, those claims
depend from the 35 U.S.C. 102(e) rejection set forth above. Insofar as the 35 U.S.C.
102(e) rejection has been traversed, applicants believe that the 35 U.S.C. 103(a) rejection
of claims 6-11, 13 and 20 should be withdrawn.

Regarding independent claim 14 of the present invention, independent claim 14 includes
the following combination of elements that are not taught, suggested or otherwise rendered
inherent by the cited reference:

> "a synchronization component configured to detect a failed synchronization
> session *based on a client synchronization request and a synchronization state*
> and to perform a synchronization recovery upon detecting the failed
> synchronization session, the synchronization recovery comprising"

> *"creating an update manifest based on the synchronization state and the
> synchronization request, the update manifest includes changes to the first data
> store that were not provided in a prior synchronization request and excludes
> changes provided in the synchronization request that were previously updated
> on the second data store during the failed synchronization session"*

> "sending the update manifest to a device configured to update the second data
> store"

For at least the same reasons set forth above, applicants assert that the combination of
elements recited in independent claim 14 is allowable. Kloba does not teach an update manifest
that includes changes to the first data store that were not provided in a prior synchronization
request and excludes changes provided in the synchronization request that were previously
updated on the second data store during the failed synchronization session. Kloba teaches rolling
back to a previous state. Accordingly, Kloba *includes* changes provided in the synchronization
request that were previously updated on the second data store during the failed synchronization
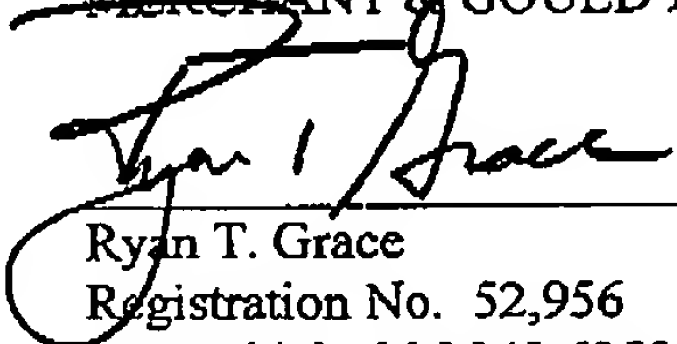
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session. Applicants assert that independent claim 14 is allowable. Claims 15-18 ultimately

depend from claim 14 and as such, applicants assert that those claims are allowable for at least

the same reasons as stated for claim 14.

In view of the foregoing, applicants respectfully request a Notice of Allowance. If the

Examiner believes a telephone conference would advance the prosecution of this application, the

Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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